

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CAPELLA PHOTONICS, INC.,

Plaintiff,

v.

INFINERA CORPORATION, TELLABS,
INC., TELLABS OPERATIONS INC.,
CORIANT AMERICA INC., and
CORIANT(USA) INC.

Defendants.

Case No. 2:20-cv-00077-JRG

JOINT STIPULATION AND MOTION TO DISMISS ACTION

Pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure and the terms of a separate agreement, Plaintiff Capella Photonics, Inc. (“Capella”) and Defendants Infinera Corporation, Tellabs, Inc., Tellabs Operations Inc., Coriant America Inc., and Coriant (USA) Inc. (collectively, “Infinera,” and together with Capella, the “Parties”) have agreed to settle, adjust and compromise all claims in the above-captioned action. The Parties, therefore, stipulate and move this Court to dismiss the action with prejudice.

The Parties further move the Court to order that the Parties shall bear their own respective costs and expenses relating to this litigation (including but not limited to attorneys’ and expert fees and expenses).

A proposed Order is filed concurrently herewith.

Dated: June 1, 2021

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Dated: June 1, 2021

Respectfully submitted,

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